

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

SAMUEL T. PETTY ]  
Plaintiff, ]  
] ]  
v. ] No. 3:13-1340  
] Judge Sharp  
HONORABLE JUDGE BURCH ]  
Defendant. ]

M E M O R A N D U M

The plaintiff, proceeding *pro se*, is an inmate at the Dickson County Jail in Charlotte, Tennessee. He brings this action pursuant to 42 U.S.C. § 1983 against Robert Burch, a Circuit Court Judge in Dickson County, seeking a dismissal of his state charges and damages.

The plaintiff complains that Judge Burch improperly revoked his bond and cited him for contempt.

Judges enjoy absolute immunity from monetary claims for actions taken within the scope of their jurisdiction. Pierson v. Ray, 386 U.S. 547, 553-54 (1967). There is no question that Judge Burch was acting within the scope of his jurisdiction. Therefore, the plaintiff has failed to state a claim against the defendant for damages.

To the extent that the plaintiff is seeking a dismissal of the charges against him, this Court will not interfere with an ongoing

state criminal prosecution. See Younger v. Harris, 401 U.S. 37, 46 (1971).

Because the defendant is cloaked with absolute immunity from liability, the plaintiff has failed to state a claim against the defendant for which relief can be granted. Under such circumstances, the Court is obliged to dismiss this action *sua sponte*. 28 U.S.C. § 1915(e)(2)(B)(iii).

An appropriate order will be entered.

Kevin H. Sharp  
Kevin H. Sharp  
United States District Judge